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NUMBER EM 139-337-406 US

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington D.C. 20231.

*Sherry L. Grace*  
Signature

BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

RE: *U.S. Patent Application Entitled: Pharmaceutical Carrier Device Suitable For Delivery of Pharmaceutical Compounds to Mucosal Surfaces- Gilles H. Tapolsky and David W. Osborne*  
(CIP of VIRO:017)

Sir:

Transmitted herewith for filing is a 46-page patent specification including 33-claims, 2 figures and an abstract. The aforementioned constitutes the application of Gilles H. Tapolsky and David W. Osborne for the captioned application.

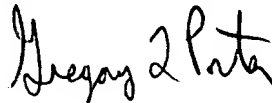
Please note that this application is filed without an inventor Declaration and Assignment, and a Declaration Claiming Small Entity Status. Pursuant to 37 C.F.R. § 1.53(b) and (d), the Applicant requests the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail. Further, the Applicant requests that the NOTICE OF MISSING PARTS-FILING

ARNOLD, WHITE & DURKEE

Assistant Commissioner for Patents  
June 10, 1998  
Page 2

overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Arnold, White & Durkee Deposit Account No. 01-2508/VIRO:034/POR.

Respectfully submitted,


A handwritten signature in cursive script, appearing to read "Gregory L. Porter".

Gregory L. Porter

GLP:sg  
Encl:

H: 260587(5L2J01!,DOC)

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JCS42 U.S. PTO  
09/069703  
04/29/98

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Atty. Dkt. No.: VIRO:034/POR**

**Prior Application Examiner:  
Edward J. Webman**

**BOX PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**Prior Group Art Unit: 1615**

**REQUEST FOR FILING CONTINUATION-IN-PART APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation-in-part application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 08/734,519 filed **10-18-96**, entitled "PHARMACEUTICAL CARRIER DEVICE SUITABLE FOR DELIVERY OF PHARMACEUTICAL COMPOUNDS TO MUCOSAL SURFACES."

- ☒ 1. Enclosed is a copy of the continuation-in-part application including a 46 page specification with 33 claims, 2 figures, and an abstract.
- ☒ 2. The inventorship is the same as prior Application Serial No. 08/734,519.


- ☒ 3. Enclosed is a check in the amount of \$639.00 to cover the filing fee as calculated below. The remaining \$22.00 of the filing fee as calculated below should be charged to Arnold, White & Durkee Deposit Account No. 01-2508/VIRO:034/POR.

<u>CLAIMS</u>					
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE
Basic Fee -----					\$395.00
Total Claims	33 - 20 =	13	X	\$11.00 =	\$143.00
Independent Claims	6 - 3 =	3	X	\$41.00 =	\$123.00
Multiple Dependent Claim(s) -----					\$-0-.00
TOTAL FILING FEES:					\$661.00

- ☒ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☒ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this document, or credit any overpayment to Arnold, White & Durkee Deposit Account No. 01-2508/VIRO:034/POR.

- ☒ 6. Enclosed is a copy of the current Power of Attorney and Associate Power of Attorney in the prior application.
- ☒ 7. Address all future communications to:
- Gregory L. Porter  
ARNOLD, WHITE & DURKEE  
P. O. Box 4433  
Houston, Texas 77210  
(713) 787-1400
- ☒ 8. The prior application is presently assigned to ViroTex Corp.
- ☒ 9. An Information Disclosure Statement (IDS) is enclosed.
- ☒ (a) PTO-1449.
- ☒ (b) Copies of IDS citations.
- ☒ 10. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Gregory L. Porter  
Reg. No. 40,131  
Attorney for Applicant

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P.O. Box 4433  
Houston, Texas 77210-4433  
(713) 787-1400

Date: 4/29/98